

Coral Advisory Panel
Meeting Summary
Webinar
November 9, 2022
8:30 am – 12:00 pm

The meeting of the Gulf of Mexico (Gulf) Fishery Management Council's (Council) Coral Advisory Panels (AP) was convened on November 9, 2022 at 8:30 am EST. The agenda and minutes from the February 7, 2022 and September 12, 2022 meetings were approved as written. The AP selected Ms. Shelly Krueger as Chair, and Capt. Scott Hickman as Vice-Chair.

Presentation: Florida Keys National Marine Sanctuary (FKNMS) Expansion Proposal

Ms. Beth Dieveney (FKNMS staff) presented the proposed rule for the FKNMS expansion. Additional FKNMS staff also attended the webinar and were able to answer questions specific to their expertise. This is the second time the Coral AP has been presented with this information, as the AP was not able to provide formal recommendations to the Council due to lack of time on the September 12th, 2022 meeting.

An AP member asked if any specific zones have been receiving many more or controversial comments from the public. Ms. Dieveney responded that the FKNMS has received comments in support of protecting benthic habitat, as well as comments in opposition referring to government overreach and no need for additional fishing regulations. The latter comment was specific to the Pulley Ridge Habitat of Particular Concern (HAPC), which already has restrictions on fishing with bottom-tending gear and anchoring by fishing vessels. Another AP member was in support of the sanctuary boundary change to align with the 'Area to Be Avoided' and the inclusion of Pulley Ridge, as this would allow for consistency in regulations and provide additional protection to important benthic habitat. The AP agreed that the inclusion of Pulley Ridge as part of FKNMS does not modify the current fishing regulations inside the Pulley Ridge HAPCs, and extending the no anchoring prohibition to include all vessels would strengthen the Council's efforts to protect important mesophotic coral habitat.

Motion: to support the FKNMS boundary expansion, including Pulley Ridge and Tortugas South, as proposed in the draft.

Motion carried with no opposition.

Another Coral AP member was in support of the establishment of nursery and coral restoration areas, as well as the proposed expansion of sanctuary preservation areas (SPA) and no anchor provision. The AP agreed that these zones would protect the bottom habitat. Although some of the newly designated nursery areas are not located on hard bottom, the no anchor and no take regulations would prevent entanglement with the equipment utilized for coral propagation (e.g., trees) as well as protect the SCUBA divers working in the area. The AP debated whether to

support the no take regulation for all SPAs and nursery/restoration areas. An AP member expressed hesitation to support this regulation as bait fishing and trolling would pose minimal impact on bottom habitat. Another AP member argued that fishing practices could pose a risk to divers and equipment in the coral nursery and restoration areas. The AP requested clarification on the differences between a restoration area and a SPA as the regulations are similar. Ms. Dieveney responded that although the regulations are similar, designating nursery and restoration areas as a new type of marine zone would allow for focused management and community engagement on areas with a defined purpose. Currently, there are four SPAs where bait fishing is permitted. The proposed regulation to extend no take to all SPAs would allow for consistency in regulations and reduce stakeholder confusion whether fishing can take place or not.

Dr. Sweetman (Council liaison) addressed the group and suggested that the recommendations to the Council regarding no take be focused to SPAs, habitat restoration areas, eliminating of catch and release and bait fishing, and the designation of new marine zones. The AP decided to address the issue of no take on a separate motion and passed the following:

Motion: to support the expansion of the existing sanctuary preservation areas as proposed in the draft rule to protect the deeper spur and groove coral habitat with the restrictions on anchoring and no discharge.

Motion carried with no opposition.

Motion: to support the creation of the restoration and nursery area marine zones as included in the draft rule.

Motion carried with no opposition.

An AP member mentioned that perhaps it would make sense to allow fishing activities that would not interact with the bottom, but that the issue would be with enforcement as stakeholders may have trouble differentiating if bottom fishing versus pelagic fishing is allowed in an area, so having consistent regulations would make sense.

While discussing the topic of future changes in marine zone designation, an AP member emphasized the need to have a concrete plan that would incorporate adaptive management, especially given the amount of interest and efforts to protect and restore coral reef habitat in the Florida Keys. The AP member recommended the Council to be involved in this process and that it should be an endeavor separate from the emergency rule process as to not be constrained by time, and work with people beyond the co-trustees. The AP member also recommended that adaptive management should be deliberate and forward-thinking. Ms. Dieveney clarified that emergency and temporary regulations are one part of the many other tools the sanctuary has for adaptive management. and not just a response to an emergency.

Motion: to recommend that the Council support the concept of adaptive management but recommend that the sanctuary create a separate process for adaptive management, separate from emergency and temporary regulations.

Motion carried with no opposition

An AP member recommends the protection of zones known to sustain spawning aggregations. Ms. Dieveney mentioned that the proposed rule does include protection to areas where fish spawning aggregation takes place such as: the expansion of the Tortugas South Conservation Area, the creation of the Western Dry Rocks Wildlife Management Area, and the expansion in Carysforth Reef SPA. The AP member was concerned that allowing surface trolling activities makes it very difficult for law enforcement to determine if there are other illegal fishing activities occurring. A similar issue was addressed by the Council by prohibiting trolling and possession of reef-fish year-round inside the Madison-Swanson and Steamboat Lumps Marine Protected Areas¹. Ms. Dieveney mentioned that designating these areas as transit only and would prohibit fishing with trolling motors, or spot-lock fishing. Continuing the discussion of protecting spawning aggregations, the AP member suggested that this topic could be considered in the Council's Fishery Ecosystem Plan. Another AP member reminded the group that zone closures are not the only way to protect fish spawning, and that spawning events are also protected with the enforcement of species-specific seasonal closures. The AP passed the following motion, which aligns with current Florida Fish and Wildlife Conservation Commission (FWC) regulations for Western Dry Rocks:

Motion: to recommend the creation of the Western Dry Rocks Wildlife Management Area.

Motion carried with no opposition.

The AP discussed the types of gears used for bait fishing and although most of them do not have contact with the bottom, cast nets could still pose a threat. Mr. Werndli mentioned that the number of permits for bait fishing in the SPAs was reviewed. He mentioned the number was very limited and that many of the users reporting not using them. The AP is not against bait fishing in the SPAs but would support a modification to the practice so the bottom contact is minimized, such as modifying allowable fishing gear.

Motion: The Coral AP supports bait fishing activities in the SPAs, so long as gear type does not interact with bottom habitat.

Motion carried with no opposition.

¹ <https://gulfcouncil.org/wp-content/uploads/Final-Modifications-of-Fishing-in-MPAs-508-081420.pdf>

The AP also discussed the definition of traditional fishing and stated that the definition as it's stated is vague and would not allow for the development of novel fishing practices.

Motion: to recommend the Council support revising the definition of traditional fishing to allow for use of innovative gears and practices that reduce impacts on Sanctuary resources.

Motion carried with no opposition.

Since the draft rule mentions that the definition of traditional fishing would be further clarified on an updated Protocol for Cooperative Fisheries Management, an AP member asked about the status of this document and if stakeholders would have the opportunity to weigh in on it. Council staff updated the group on the status of the document. At this point staff from the Gulf and South Atlantic Councils, NOAA General Counsel, FWC, and FKNMS have begun working on a draft, although a timeline has not been established yet. The plan is to present this document to the Council, which would become part of the public record, thus stakeholders can voice their recommendations for the Council to consider.

Motion: to consider allowing input from the public on the draft protocol for cooperative fisheries management before it is finalized.

Motion carried with no opposition.

The AP discussed the issue of law enforcement and delineating marine zones with straight lines. The rationale behind delineating boundaries with straight lines has been to increase enforcement and reduce confusion among user groups. An AP member mentioned that with advancements in chart plotting technology, this should not be a justification. The AP's opinion was divided, thus did not provide specific recommendations on eliminating catch and release from SPAs. The AP recognizes the difficulties in balancing sustainable management practices while maintaining access to a marine sanctuary that is basically "people's backyard", as stated by one of the AP members.

Discussion: Stony Coral Tissue Loss Disease

Ms. Michelle Johnston, Research Coordinator at the Flower Garden Banks National Marine Sanctuary (FGBNMS) gave a brief update on the unusual coral disease that has been reported in the sanctuary. The disease has some similarities with Stony Coral Tissue Loss Disease (SCTLD) but lesions appear to be spreading at a slower rate. Sampling efforts are still ongoing.

The Coral AP is hopeful that the disease doesn't turn out to be SCTLD. An AP member asked which species have been primarily affected by the disease. Ms. Johnston replied that the disease seems to be affecting brain corals, such as *Pseudodiploria strigosa* and *Colpophyllia natans*, although other boulder corals are beginning to show signs of stress or disease. The AP member

also asked if disease prevalence for these species has been as high as it's been reported for SCTLD in the FKNMS. Ms. Johnston replied that the prevalence for these species has been inconsistent, with some colonies showing patchy lesions, while other colonies of the same species not showing signs of disease. For coral reefs in the FGBNMS, disease prevalence is at about 2.5% of hard coral colonies, whereas it used to be 0.5% from the long-term monitoring efforts. The AP member asked if there are any observations of the lesions subsiding on their own, given that coral colonies in the Florida Keys can die within a couple of weeks and noticing a different trend could be an indicator of a different kind of disease. Ms. Johnston noted that there were instances where the lesions did not progress to the rest of the colony, but the team has also noted new lesions or total colony death in other areas. She also noted observations or possible increase in parrotfish grazing, but it is not known if they could be a vector for transmitting the disease.

Public Comment

There were no comments from the public during this meeting.

Meeting adjourned at 12:12 pm.

Participants List:

Coral AP

Shelly Krueger, Chair
Scott Hickman, Vice-Chair
Martha Guyas
Rob Ruzicka
J.P. Brooker

Council Representative

CJ Sweetman

Council Staff

Natasha Méndez-Ferrer
Zeenatul Basher
Carrie Simmons
John Froeschke
Matt Freeman
Jessica Matos
Camilla Shireman